

REMARKS

The Official Action dated December 16, 2004 has been received and its contents noted. In view thereof, claims 1 and 4 have been amended in order to better define that which Applicants regard as the invention. As previously, claims 1-30 are presently pending in the instant application with claims 7-30 being withdrawn from consideration by the Examiner. It should be noted, however, that claims 24 and 25, which depend from claims 1 and 4 respectively, should also be under consideration by the Examiner and not indicated as being withdrawn from consideration by the Examiner.

With reference now to the Official Action and particularly page 4 thereof, Applicants hereby acknowledge the Examiner's indication that claims 4-6 are allowable over the prior art of record. It is respectfully requested that these claims again be indicated as being allowable over the prior art.

With reference now to page 2 of the Office Action, claims 1-3 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,455,337 issued to Sverdlov in view of Korean Patent Publication No. KR 2002-000898 A issued to Jung et al. This rejection is respectfully traversed in that patent publication to Jung et al. is not properly available to the Examiner as prior art and consequently Applicants claimed invention clearly distinguishes over the teachings of Sverdlov when taken alone.

Specifically, a review of Korean Patent Publication No. 2002-000898 issued to Jung et al. reveals that this application was published on January 9, 2002. Furthermore, this patent publication was filed as application serial number 10-2000-0033763 on June 20, 2000. As the Examiner can readily appreciate, the present application was placed on file in the U. S. Patent and Trademark Office on February 15, 2000. Furthermore, the present application claimed priority in Japanese Patent Publication Numbers 11-038307 filed February 17, 1999,

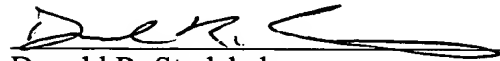
11-064464 filed March 11, 1999 and 11-176445 filed June 23, 1999. Accordingly, it is respectfully submitted that Applicants' claimed invention was placed on file in the U. S. Patent and Trademark Office prior to the publication or filing of the Korean Patent Publication issued to Jung et al. relied on by the Examiner in rejecting claims 1-3. Consequently, in that the teachings of the Jung et al. reference are not available to the Examiner as prior art, it is respectfully submitted that Applicants' claimed invention clearly distinguishes over the teachings of Sverdlov.

Furthermore, as can be seen from the foregoing amendments, independent claims 1 and 4 have been amended to again recite that $0 < x < 1$, $0 < y < 1$ and $x \geq y$ in the composition of In. This returns Applicants' claimed invention back to the state prior to the Examiner's initial application of Jung et al. as prior art. Consequently, in that the teachings of Jung et al. are not available to the Examiner and were not available to the Examiner during the preparation of Applicants' response filed August 12, 2004, it is respectfully submitted that Applicants are entitled to the broader recitation of the composition of In as presently set forth by Applicants' claimed invention.

Therefore, in view of the foregoing it is respectfully submitted that further discussion with respect to the merits of the rejection of claims 1-3 under 35 U.S.C. §103(a) as being unpatentable over Sverdlov in view of Jung et al. as well as comments with respect to the response to Applicants' arguments set forth on pages 5-7 of the Official Action are no longer believed to be warranted. Furthermore, it is respectfully requested that the rejection of record be reconsidered and withdrawn by the Examiner that claims 1-3, 24 and 25 be allowed along with claims 4-6 previously indicated as being allowable over the prior art of record and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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